

FORM 30: Cover Letter Transmitting NOV to Licensed Operator who has a Positive Drug or Alcohol Test

IA-YY-XXX ____

(Name of Licensed Operator)
[HOME ADDRESS DELETED
UNDER 10 CFR 2.790]

SUBJECT: NOTICE OF VIOLATION

Dear (Name of Licensed Operator):

The Nuclear Regulatory Commission (NRC) has received a letter dated (date) from (name of facility licensee(s)) informing us of your confirmed positive test for alcohol (or name of illegal drug) (copy enclosed). We plan to place this letter in your 10 CFR Part 55 docket file.

This confirmed positive test identified a violation of 10 CFR 55.53(j). The purpose of the Commission's Fitness-for-Duty requirements is to provide reasonable assurance that nuclear power plant personnel work in an environment that is free of drugs and alcohol and the effects of the use of these substances. The use of illegal drugs (use of alcohol such that the operator exceeds the cutoff limits specified in 10 CFR Part 26, Appendix A, or in the licensee's fitness-for-duty program) is a serious matter which undermines the special trust and confidence placed in you as a licensed operator. The violation is categorized as a Severity Level III violation in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions", NUREG-1600, because the use of illegal drugs (use of alcohol such that the operator exceeds the cutoff limits specified in 10 CFR Part 26, Appendix A, or in the licensee's fitness-for-duty program) by licensed operators is a significant regulatory concern. This violation is described in the enclosed Notice of Violation. Please note that, in accordance with 10 CFR 26.27(b), future similar violations will substantially affect your authorization for unescorted access to the protected area of a licensed facility.

The purpose of this letter is to make clear to you the consequences of your violation of NRC requirements governing fitness-for-duty as a licensed operator. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice of Violation (Notice) when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence in order to ensure your ability and willingness to carry out the special trust and confidence placed in you as a licensed operator of a nuclear power facility. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, enforcement actions are made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. A copy of this letter (without Enclosure 1) and the enclosed Notice of Violation with your address removed will be made available to the Public

after 45 days unless you provide a sufficient basis to withdraw this violation.¹ The NRC also includes significant enforcement actions on its Web site at www.nrc.gov; select **What We Do, Enforcement**, then **Significant Enforcement Actions**.

Should you have any questions concerning this action, please contact _____ of my staff. (Name of regional contact) can be reached at either the address listed above or telephone number (____) ____-____.

Sincerely,

Division Director
Region __

Docket No. 55-_____

License No. _____

Enclosures:

1. Letter from Facility Licensee
2. Notice of Violation

cc: (name of facility licensee)

¹ Note that this letter and its enclosures should not be made available in ADAMS (PARS) when they are originally issued. This letter and the NOV (not enclosure 1) should be made available in ADAMS (PARS) if the licensed operator has not replied within 30 days or if the staff review of the licensed operator's response concludes that the licensed operator did not provide a sufficient basis to withdraw the violation.